

1 supervisor. (ECF No. 11.) Accordingly, the Court will recommend that this action proceed against
2 Defendants A. Smith, D. Schuller, G. Nwachukwu, J. Burell, V. Giannadrea, J. Trujillo-Villa, J.
3 Szalai, J. Alvarez, and unidentified ASP designated custody supervisor for deliberate indifference in
4 violation of the Eighth Amendment. Fed. R. Civ. P. 8(a); Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009);
5 Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007); Hebbe v. Pliler, 627 F.3d 338, 342 (9th
6 Cir. 2010).

7 Accordingly, the Clerk of the Court is HEREBY DIRECTED to randomly assign a District
8 Judge to this action.

9 Further, based on the foregoing, it is HEREBY RECOMMENDED that:

- 10 1. This action proceed against Defendants A. Smith, D. Schuller, G. Nwachukwu, J.
11 Burell, V. Giannadrea, J. Trujillo-Villa, J. Szalai, J. Alvarez, and unidentified ASP
12 designated custody supervisor for deliberate indifference in violation of the Eighth
13 Amendment; and
- 14 2. All other claims for relief are dismissed for failure to state a cognizable claim.

15 These Findings and Recommendations will be submitted to the United States District Judge
16 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within **fourteen (14) days**
17 after being served with these Findings and Recommendations, Plaintiff may file written objections
18 with the Court. The document should be captioned “Objections to Magistrate Judge’s Findings and
19 Recommendations.” Plaintiff is advised that failure to file objections within the specified time may
20 result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
21 (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

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23 IT IS SO ORDERED.

24 Dated: **August 5, 2020**


UNITED STATES MAGISTRATE JUDGE

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